

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

Furman Eugene Taylor, Jr.,)	Case No. 9:21-cv-01186-TLW
)	
Petitioner,)	
)	
vs.)	Order
)	
Charles Williams, Warden)	
)	
)	
Respondent.)	

Petitioner Furman Eugene Taylor, Jr., a state inmate proceeding *pro se* filed this habeas petition pursuant to 28 U.S.C. § 2254 on April 22, 2021. ECF No. 1. Respondent filed a motion for summary judgment on July 19, 2021. ECF No. 21. This matter is before the Court for review of the Report and Recommendation (Report) filed by United States Magistrate Judge Molly H. Cherry, to whom this case was assigned pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Civ. Rule 73.02(B)(2)(c), (D.S.C.). ECF No. 31. In the Report, the Magistrate Judge recommends that this Court grant Respondent's motion for summary judgment and deny the Petition. *Id.* Petitioner filed objections to the Report on October 27, 2021. ECF No. 33. This matter is now ripe for disposition.

In reviewing the Report, the Court applies the following standard: The magistrate judge makes only a recommendation to the Court, to which any party may file written objections The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other

standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Hous. Auth. of City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted).

In light of the standard set forth in *Wallace*, the Court has reviewed, *de novo*, the Report and the objections. After careful review of the Report and the objections, for the reasons stated by the magistrate judge, the Report, ECF No. 31, is **ACCEPTED**. Petitioner's objections, ECF No. 33, are **OVERRULED**. Respondent's motion for summary judgment, ECF No. 21, is **GRANTED**. This action is hereby **DISMISSED**.

s/ Terry L. Wooten

Terry L. Wooten

Senior United States District Judge

November 19, 2021
Columbia, South Carolina